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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,772	12/24/2003	Volker Jens Berlin	INET-001/00US	9451
22903 7590 05/18/2007 COOLEY GODWARD KRONISH LLP ATTN: PATENT GROUP Suite 500 1200 - 19th Street, NW WASHINGTON, DC 20036-2402			EXAMINER SONG, HOSUK	
			ART UNIT 2135	PAPER NUMBER
			MAIL DATE 05/18/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/743,772

Applicant(s)

BERLIN, VOLKER JENS

Examiner

HOSUK SONG

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-11,14-24,27-32,35-41,43,44,47,48,50,53 and 54 is/are rejected.
- 7) ☒ Claim(s) 4,5,12,13,25,26,33,34,42,45,46,49,51 and 52 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 10743772.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3,6-11,14-24,27-32,35-41,43-44,47-48,50,53-54 are rejected under 35 U.S.C. 102(e) as being anticipated by Steiger et al(US 2004/0217292).

Claim 1: Steiger disclose receiving data transmitted over a network, the receiving occurring via a client using a standard secure protocol library in (page4,0048). Steiger disclose determining whether a Tabular Data Stream (TDS) handshake protocol is required to handled the received data and initiating a TDS handshake protocol by the client, if it is determined that a TDS handshake protocol is required in (fig.1 and page 5, 0052). Steiger disclose determining whether the at least one portion of the data is encrypted and initiating a secure protocol to handle the at least one portion of the data, if it is determined that the at least one portion of the data is encrypted in (page 6, 0060, 0061).

Claim 2: Steiger disclose initiating a secure protocol includes initiating a secure socket layer (SSL) protocol in (page 5,0061).

Claim 3: Steiger disclose client using a standard secure protocol library includes a pure Java client in (page 6,0061).

Claim 6: Steiger disclose secure protocol includes a secure socket layer (SSL) protocol, and the standard secure protocol library includes a standard SSL library in (page 6,0060).

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Claim 7: Steiger disclose received data is received from a server that uses a structured query language and a TDS handshake protocol in (page 4,0042 and page 5,0052).

Claim 8: Steiger disclose data is received from a Microsoft Structured Query Language (MS SQL) server in (page 3,0037).

Claims 9,29: Steiger disclose receiving data transmitted by a Microsoft Structured Query Language (MS SQL) server a network, the receiving occurring via a client using a standard secure protocol library in (fig.1 and page 3, 0037). Steiger disclose determining whether an MS SQL handshake protocol is required to handle the received data and initiating an MS SQL handshake protocol by the client, if it is determined that an MS SQL handshake protocol is required in (fig.1 and page 5, 0052). Steiger disclose determining whether the at least one portion of the data is encrypted and initiating a secure protocol to handle the at least one portion of the data, if it is determined that the at least one portion of the data is encrypted in (page 6, 0060, 0061).

Claim 10: Steiger disclose initiating a secure protocol includes initiating a secure socket layer (SSL) protocol in (page 5,0061).

Claim 11: Steiger disclose client using a standard secure protocol library includes a pure Java client in (page 6,0061).

Claim 14: Steiger disclose secure protocol includes a secure socket layer (SSL) protocol, and the standard secure protocol library includes a standard SSL library in (page 6,0060).

Claim 15: Steiger disclose receive data transmitted over a network via a client using a standard secure protocol library and determine whether a Tabular Data Stream (TDS) handshake protocol is required to handle the received data in (fig.1 and page 5, 0052). Steiger disclose initiate a TDS handshake protocol by the client, if it is determined that a TDS handshake protocol is required in (fig.4 and page 5, 0052). Steiger disclose determine whether the at least one portion of the data is encrypted and initiate a

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secure protocol to handle the at least one portion of the data, if it is determined that the at least one portion of the data is encrypted in (page 6, 0060, 0061).

Claim 16: Steiger disclose client using a standard secure protocol library includes a pure Java client using a standard secure socket layer (SSL) library in (page 6,0060).

Claim 17: Steiger disclose receiving data transmitted by a Microsoft Structured Query Language (MS SQL) server a network, the receiving occurring via a client using a standard secure protocol library in (fig.1 and page 3, 0037). Steiger disclose determining whether an MS SQL handshake protocol is required to handle the received data and initiating an MS SQL handshake protocol by the client, if it is determined that an MS SQL handshake protocol is required in (fig.1 and page 5, 0052). Steiger disclose determining whether the at least one portion of the data is encrypted and initiating a secure protocol to handle the at least one portion of the data, if it is determined that the at least one portion of the data is encrypted in (page 6, 0060, 0061).

Claim 18: Steiger disclose client using a standard secure protocol library includes a pure Java client using a standard secure socket layer (SSL) library in (page 6,0060).

Claim 19: Steiger disclose receiving data transmitted over a network using a standard secure protocol library in (page4,0048). Steiger disclose determining whether a Tabular Data Stream (TDS) handshake protocol is required to handled the received data and initiating a TDS handshake protocol by the client, if it is determined that a TDS handshake protocol is required in (fig.1 and page 5, 0052). Steiger disclose determining whether the at least one portion of the data is encrypted and initiating a secure protocol to handle the at least one portion of the data, if it is determined that the at least one portion of the data is encrypted in (page 6, 0060, 0061).

Claim 20: Steiger disclose the standard secure protocol library includes a standard SSL library in (page 6,0060).

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Claim 21: Steiger disclose preparing data to be transmitted to a server from a client using a standard secure protocol library and determine if a Tabular Data Stream (TDS) handshake protocol is required to communicate with the server and initiate a TDS handshake protocol, if it is determined that a TDS handshake protocol is required in (fig.1 and page 5, 0052). Steiger disclose determining if data to be transmitted is to be encrypted using a standard secure protocol associated with the standard secure protocol library and initiating the standard secure protocol, if it is determined that the data is to be encrypted using the standard secure protocol in (page 6, 0060, 0061).

Claim 22: Steiger disclose transmitting encrypted data using the standard secure protocol in (page 6,0061).

Claim 23: Steiger disclose initiating a secure protocol includes initiating a secure socket layer (SSL) protocol in (page 6,0061).

Claim 24: Steiger disclose client using a standard secure protocol library includes a pure Java client in (page 6,0061).

Claim 27: Steiger disclose secure protocol includes a secure socket layer (SSL) protocol, and the standard secure protocol library includes a standard SSL library in (page 6,0060).

Claim 28: Steiger disclose data is received from a Microsoft Structured Query Language (MS SQL) server in (page 3,0037).

Claim 30: Steiger disclose transmitting encrypted data using the standard secure protocol in (page 6,0061).

Claim 31: Steiger disclose initiating a secure protocol includes initiating a secure socket layer (SSL) protocol in (page 5,0061).

Claim 32: Steiger disclose client using a standard secure protocol library includes a pure Java client in (page 6,0061).

Claim 35: Steiger disclose secure protocol includes a secure socket layer (SSL) protocol, and the standard secure protocol library includes a standard SSL library in (page 6,0060).

Claim 36: Steiger disclose preparing data to be transmitted to a server from a client using a standard secure protocol library and determine if a Tabular Data Stream (TDS) handshake protocol is required to communicate with the server and initiate a TDS handshake protocol, if it is determined that a TDS handshake protocol is required in (fig.1 and page 5, 0052). Steiger disclose determining if data to be transmitted is to be encrypted using a standard secure protocol associated with the standard secure protocol library and initiating the standard secure protocol, if it is determined that the data is to be encrypted using the standard secure protocol in (page 6, 0060, 0061).

Claim 37: Steiger disclose secure protocol includes a secure socket layer (SSL) protocol, and the standard secure protocol library includes a standard SSL library in (page 6,0060).

Claim 38: Steiger disclose prepare to be transmitted to a server from a client using a standard secure protocol library in (fig.1 and page 3, 0037) and determine if a Microsoft Structured Query Language (MS SQL) server handshake protocol is required to communicate with the server and initiate an MS SQL handshake protocol, if it is determined than an MS SQL handshake protocol is required in (fig.1 and page 5, 0052). Steiger disclose determine if data to be transmitted is to be encrypted using a standard secure protocol associated with the standard secure protocol library and initiate the standard secure protocol, if it is determined that the data is to be encrypted using the standard secure protocol in (page 6, 0060, 0061).

Claim 39: Steiger disclose client using a standard secure protocol library includes a pure Java client using a standard secure socket layer (SSL) library in (page 6,0060).

Claim 40: Steiger disclose preparing data to be transmitted to a server from a client using a standard secure protocol library and determine if a Tabular Data Stream (TDS) handshake protocol is required to communicate with the server and initiate a TDS handshake protocol, if it is determined that a

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TDS handshake protocol is required in (fig.1 and page 5, 0052). Steiger disclose determining if data to be transmitted is to be encrypted using a standard secure protocol associated with the standard secure protocol library and initiating the standard secure protocol, if it is determined that the data is to be encrypted using the standard secure protocol in (page 6, 0060, 0061).

Claims 41,50: Steiger disclose a first client application configured to transmit and to receive secure communications via a network using a standard secure protocol library, the secure communications including queries sent by the first client application and responses received by the first client application in (fig.1 and page 3, 0035 and 0038). Steiger disclose a server application configured to receive the queries sent by the first client application via the network and to transmit the responses received by the first client application via the network, the server application requiring a proprietary server handshake protocol to communicate with the first client application using a standard secure protocol associated with the standard secure protocol library in (fig.1 and page 2,0028; page 3,0037). Steiger disclose a translation component configured to receive the queries sent by the first client application and to translate the queries into queries that use the proprietary server handshake protocol of the server application so that they are understandable to the server application in (page 3,0038).

Claim 43: Steiger disclose standard secure protocol library includes a standard secure socket layer (SSL) library in (page 6,0060).

Claim 44: Steiger disclose client using a standard secure protocol library includes a pure Java client in (page 6,0061).

Claim 47: Steiger disclose server application uses a structured query language and the proprietary server handshake protocol includes a Tabular Data Stream (TDS) handshake protocol in (page 5,0052).

Claim 48: Steiger disclose server application is a Microsoft Structured Query Language (MS SQL) server and the proprietary server handshake protocol includes an MS SQL server handshake protocol in (page 3,0037).

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Claim 53: Steiger disclose secure communication object includes a Secure Socket Layer (SSL) communication object in (page 5,0061).

Claim 54: Steiger disclose client using a standard secure protocol library includes a pure Java client using a standard secure socket layer (SSL) library in (page 6,0060).

Allowable Subject Matter

Claims 4-5,12-13,25-26,33-34,51-52,42,45-46,49 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

USPTO Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOSUK SONG whose telephone number is 5712723857. The examiner can normally be reached on mon-fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KIM VU can be reached on 5712723859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



HOSUK SONG
PRIMARY EXAMINER